

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ERIC DICKERSON,

Plaintiff,

v.

SUPERINTENDENT MARILYN S.  
BROOKS, et al.,

Defendants.

Civil Action No. 06-289 Erie

**MEMORANDUM ORDER**

This civil rights action was received by the Clerk of Court on December 7, 2006, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's oral Report and Recommendation [Doc. No. 158], entered on the record on January 7, 2009, recommended that Plaintiff's Motion for Temporary Restraining Order [Doc. No. 151] be denied. The parties were allowed ten (10) days from the date of service to file objections. Plaintiff filed objections on January 9, 2009 [Doc. No. 164]. After de novo review of the motion and documents in the case, as well as the transcript of the hearing on Plaintiff's motion for temporary restraining order [Doc. No. 168], and together with the oral Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 20<sup>th</sup> day of January, 2009;

IT IS HEREBY ORDERED that Plaintiff's Motion for Temporary Restraining Order [Doc. No. 151] is DENIED.

The oral Report and Recommendation [Doc. No. 158] of Magistrate Judge Baxter, entered on the record on January 7, 2009, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record  
Susan Paradise Baxter, U.S. Magistrate Judge